

Notice of Allowability

Application No.

10/782,187

Examiner

Sang Nguyen

Applicant(s)

MCMACKIN ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/26/05.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 07/27/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Gregory J. Fordey, Jr.
Supervisory Patent Examiner

3/0CT05

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 1-28 are allowed.

As to independent claim 1 is allowable over the prior art for at least the reason that the prior art of record, taken alone or in combination, fails discloses or render obvious a method for measuring characteristics of a film disposed on a substrate comprising all the specific elements with the specific combination including of measuring and determining characteristics of a subset of said plurality of processing regions, defining measured characteristics and associating a cause of said variation based upon a comparison of said one of said measure characteristics to measured characteristics associated with the remaining processing regions of said subset in combination with the rest of the limitation of claim 1.

As to independent claim 11 is allowable over the prior art for at least the reason that the prior art of record, taken alone or in combination, fails discloses or render obvious a method for measuring characteristics of a film disposed on a substrate comprising all the specific elements with the specific combination including of measuring and determining a variation of said one of said measured characteristics by comparing said standard deviation with a predetermined threshold; and associating a cause of said variation based upon a comparison of said one of said measured characteristics to measured characteristics associated

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with the remaining processing regions of said subset in combination with the rest of the limitation of claim 11.

As to independent claim 16 is allowable over the prior art for at least the reason that the prior art of record, taken alone or in combination, fails disclose or render obvious a method for measuring characteristics of a film disposed on a substrate comprising all the specific elements with the specific combination including of measuring and determining characteristics of a subset of said plurality of processing regions, defining measured characteristics and associating a source of said anomaly based upon a comparison of said anomaly in said measured characteristics with characteristics in the remaining processing regions in combination with the rest of the limitation of claim 16.

As to independent claim 23 is allowable over the prior art for at least the reason that the prior art of record, taken alone or in combination, fails disclose or render obvious a system for measuring characteristics of a film disposed on a substrate comprising all the specific elements with the specific combination including of a means for identifying a plurality of processing regions, a subset of which has characteristics associated therewith, and ascertaining a cause of an anomaly in characteristics of one of said plurality of processing regions by comparing of the characteristics of said one of said plurality of processing regions with characteristics associated with the remaining processing regions of said subset in combination with the rest of the limitation of claim 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

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preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

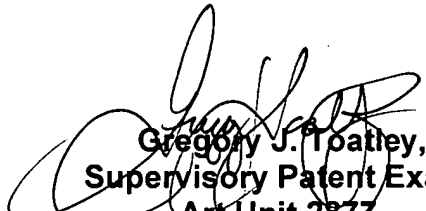
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Nguyen whose telephone number is (571) 272-2425. The examiner can normally be reached on 9:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sang Nguyen

October 30, 2005


Gregory J. Toatley, Jr.
Supervisory Patent Examiner
Art Unit 2877
31 Oct 05

please,
Enter the drawing. Thanks
Examine Sang Nguyen
10/30/05

Appl. No.: 10/782,187
Inv: McMackin et al.
Atty. Dkt. No.: P116-58-03

NEW SHEET

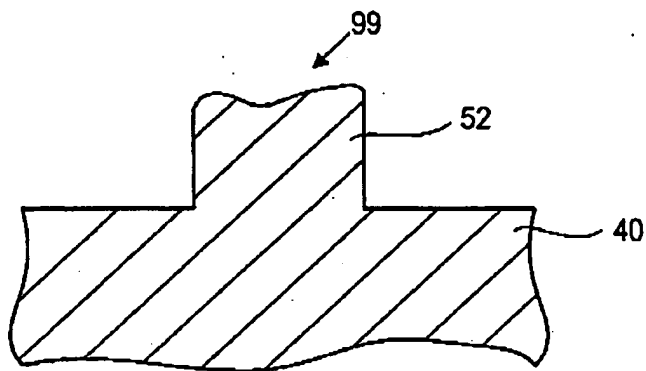


FIG. 14